

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

RICKY M. BURAS, SR.,

PLAINTIFF

V.

CIVIL ACTION NO. 1:21-CV-188-LG-RPM

MORRIS BART LAW FIRM LTD,

DEFENDANT

ORDER LIFTING STAY ON ISSUANCE OF SUMMONS AND SERVICE OF PROCESS

On June 1, 2021, plaintiff Ricky M. Buras, Sr. (“Buras”), proceeding *pro se*, filed a complaint alleging that defendant Morris Bart Law Firm Ltd. (“defendant”) misrepresented the value of a state-court settlement. Doc. [1]. Recently, this Court granted *in forma pauperis* status to Buras but stayed issuance of the summons and service of process pending further order of the Court. Doc. [4]. Following Buras’ reply to the Court’s Order to Show Cause, Doc. [6], the Court now lifts the stay.

ADVISORY REGARDING SERVICE OF PROCESS

As the stay is now lifted, Buras is advised that it is his responsibility to prosecute this case and that the case cannot proceed until the defendant has been served with the summons and complaint. Buras is further advised that pursuant to Rule 4(a), L.U.Civ.R., it is his responsibility to prepare the summons to be served on the defendant and to present the process to the clerk of court for issuance. Buras is referred to Rule 4(b), L.U.Civ.R., and the provisions of Rule 4, Fed.R.Civ.P., for information regarding service of the summons and complaint.

IT IS THEREFORE ORDERED that:

1. The Clerk of Court shall mail the appropriate summons forms to Buras.

2. Buras shall prepare a summons for issuance to each named defendant, giving the full and complete address of each defendant, and shall return the completed summons form(s) to the Clerk of Court.

3. The Clerk shall issue process to the defendant(s) requiring a response and shall deliver each summons with a copy of the complaint to the United States Marshal for service upon the defendant pursuant to 28 U.S.C. 1915(d).

Buras is warned that Rule 4(m), Fed.R.Civ.P., requires service of process within 90 days after the date of this Order. A delay in service on the defendant, which is attributable to Buras, beyond the 90 days could result in dismissal of this case.

SO ORDERED AND ADJUDGED, this the 18th day of October 2021.

/s/ Robert P. Myers, Jr.

ROBERT P. MYERS, JR.

UNITED STATES MAGISTRATE JUDGE